

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

CASA DE MARYLAND, INC., *et al.*

Plaintiffs,

v.

MAYORKAS, *et al.*

Defendants.

Civil No. 20-2118-PX

**NOTICE OF SUPPLEMENTAL AUTHORITY TO PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT ON THEIR HOMELAND SECURITY ACT CLAIM**

Plaintiffs hereby notify the Court of a recent decision by Judge Jeffrey S. White in the Northern District of California granting summary judgment to the plaintiffs, and vacating a final rule, on the basis that purported former Acting Secretary of the Department of Homeland Security Chad Wolf lacked authority to issue the rule because he “was not lawfully appointed as Acting Secretary at the time the Final Rule was approved.” *See Chamber of Commerce v. DHS*, No. 20-CV-07331-JSW, 2021 WL 4198518, *4–5 (N.D. Cal. Sept. 15, 2021) (citing *Casa de Maryland, Inc. v. Wolf*, 486 F. Supp. 3d 928 (D. Md. 2020)). A copy of the decision is attached. This decision supplements Plaintiffs’ argument that the Broader EAD Rule is invalid because Wolf did not serve as Acting Secretary of DHS at the time the Broader EAD Rule was approved, and that the proper remedy is vacatur. Dkt. 107-1 at 10-16.

Dated: September 23, 2021

Respectfully submitted,

_____/s/_____
Linda Evarts (*pro hac vice*)
Kathryn Austin (*pro hac vice*)
Mariko Hirose (*pro hac vice*)
INTERNATIONAL REFUGEE ASSISTANCE
PROJECT
One Battery Park Plaza, 4th Floor
New York, New York 10004
Tel: (516) 838-1655
Fax: (929) 999-8115
levarts@refugeerights.org
gcastillo@refugeerights.org
kaustin@refugeerights.org
mhirose@refugeerights.org

_____/s/_____
Justin B. Cox (Bar No. 17550)
INTERNATIONAL REFUGEE ASSISTANCE
PROJECT
PO Box 170208
Atlanta, GA 30317
Tel: (516) 701-4233
Fax: (929) 999-8115
jcox@refugeerights.org

Counsel for Plaintiffs

_____/s/_____
Zachary Manfredi (*pro hac vice*)
ASYLUM SEEKER ADVOCACY PROJECT
228 Park Avenue S. #84810
New York, NY 10003-1502
Tel: (305) 484-9260
Fax: (646) 968-0279
zachary.manfredi@asylumadvocacy.org

Richard W. Mark (*pro hac vice*)
Joseph Evall (*pro hac vice*)
Katherine Marquart (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Tel: (212) 351-4000
Fax: (212) 351-4035
RMark@gibsondunn.com
JEvall@gibsondunn.com
KMarquart@gibsondunn.com